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Honorable Victor Marrero USDJ
United States District Court
Southern District of New York
500 Pearl Street, Chambers 660
New York, NY 10007

USDS SDNY	July 17, 2008
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DATE FILED: <u>7-17-08</u>	

Re: Teachers4Action et al v. Bloomberg et al, 08-cv-548 (VM)(AJP)

Honorable Judge Marrero:

As the Court knows I am counsel of record for Plaintiffs in the above referenced matter.

This letter is submitted, pursuant to Your Honor's Individual Rule 2 A, to request a Pre-Motion Conference to Permit Plaintiffs to Move for Miscellaneous Relief, including but not limited to Motion to Enforce, for Partial Summary Judgment, for Injunction and other Relief. The Motion is predicated and will be based upon the July 2008 Agreement entered into between Defendant NYC Department of Education ("DOE") and Defendant United Federation of Teachers ("UFT").

A summary of the facts upon which the Motion would be based has already been filed with the Court. They are contained in my July 7, 2008 letter that was Endorsed by Magistrate Judge Peck and entered in the Docket on July 7, 2008 (Doc. 75) and my July 8, 2008 letter which was Endorsed by Magistrate Judge Peck and entered in the Docket on July 16, 2008 (Doc. 83).

In his July 16, 2008 Memo Endorsed, Magistrate Judge Peck directed that "*any premotion clearance request for a "Motion to Enforce" should be addressed to Judge Marrero". For ease of reference, a hard copy of Magistrate Judge Peck's July 16, 2008 Endorsement is attached.*

By making the Motion at this time, Plaintiffs submit the Court and the parties will have sufficient time to (i) address certain issues that Plaintiffs submit are emergent as related to certain individual Plaintiffs and (ii) address other issues during the summer recess before they become emergent when the 2008/2009 school year begins at the end of next month, August 2008.

Plaintiffs pray the Court convenes such a Pre-Motion Conference at the earliest convenience.

As always, thank you for the Court's continued time and consideration of issues in this case.

Respectfully submitted,


Edward D. Fagan

EDF/ljf

Attachment - July 16, 2008 Order of the Hon. Andrew J. Peck USMJ

Cc: Hon. Andrew J. Peck USMJ – Via Fax

Blanche Greenfield Esq. – For NYC Defendants – By Fax

Charles Moerdler Esq. – For Defendants UFT, Weingarten & Combier – By Fax

No new pre motion conference should be necessary. The parties are already briefing defendants' motion to dismiss. The issues and relief plaintiffs set forth above may be addressed in a responding cross motion. The parties should propose motion
SO ORDERED:
7-16-08

DATE

VICTOR MARRERO, U.S.D.J.